

IFRRO STATEMENT ON SUPPORTING CREATIVITY AND EMPOWERING AUTHORS AND PUBLISHERS IN SOUTH AFRICA

Resolution adopted by the IFRRO Annual General Meeting in Athens on 24 October 2018

The International Federation of Reproduction Rights Organisations (IFRRO), at its Annual General Meeting in Athens, strongly urges the South African Parliament to protect authors' rights, support creativity, and to reject proposals that would weaken copyright protection.

In South Africa, appropriate and effective legal measures are already in place to ensure access to published works by educational institutions, including collective licensing by DALRO, the local copyright management organisation and member of IFRRO.

The IFRRO Annual General Meeting opposes the proposal to introduce *fair use* provisions and to broaden the exceptions in the South African Copyright Act to allow the reproduction and making available of published works by educational institutions without prior consent or payment of remuneration. This proposal is severely prejudicial to the creative industries and the cultural sector which are fundamental to the digital economy and pivotal in sustaining national culture and cultural identity.

The proposed changes will lead to a substantial loss of income to authors and publishers and a reduction in the quality of content available to South African students.

IFRRO is concerned by reports of insufficient research and impact assessment in developing this proposal, and that it will be introduced to the National Assembly, despite warnings by copyright experts engaged by Parliament that the proposal in its current form will conflict with South Africa's obligations under the Berne Convention and the Trade-Related Aspects of Intellectual Property Rights Agreement.

For these reasons, the IFRRO Annual General Meeting 2018 strongly urges the South African Government:

1. not to proceed with the proposed changes to the Copyright Act to broaden the copyright exceptions to allow more cases of unauthorised reproductions of copyright works without remuneration to authors and publishers
2. to engage in a dialogue with the stakeholders – DALRO, authors, publishers and their representative organisations, and educational institutions – to clarify the need of the educational establishments for reproducing learning resources, and to continue developing a flexible licensing framework, for the benefit of all.

About IFRRO

IFRRO has 150 members in 85 countries, representing the creative and publishing communities. The creative industries and the cultural sector are fundamental to the digital economy, and pivotal in sustaining national culture and cultural identity.